

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.18429 OF 1996

DATED: 07-02-2007

Between :

Maddala Srinivasa Rao
Petitioner

...

And

1. The Commissioner for Endowments,
Tilak Road, Hyderabad., and another. ...
Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.18429 OF 1996

ORDER :

This writ petition is filed questioning the notice dated 19-8-1996 issued by the 2nd respondent as arbitrary, illegal and without jurisdiction.

It is to be noted that the impugned notice was issued inviting applications from interested persons for constitution of a Trust Board for Sri Panchamukha Anjaneyaswami Varu Temple, Kothapeta, Vizianagaram under Section 15 of the Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Act, 1987 (for short, 'the Act'). The specific allegation made by the petitioner that since the temple in question is not listed under Section 6 of the Act, the impugned notice is without jurisdiction has been categorically denied by the respondents in the counter-affidavit.

At any rate, it is relevant to note that the term of the Trust Board constituted under Section 15 of the Act is only a period of two years. Since the petitioner was not granted any interim order staying the proceedings pursuant to the impugned notice, the term of the Board constituted under the impugned notice expired long back during the pendency of this writ petition. Hence, nothing survives for adjudication on merits at this point of time.

Accordingly, the Writ Petition is dismissed as infructuous. However, this shall not preclude the

petitioner to institute fresh proceedings in case
necessity thereof arises. No costs.

G. ROHINI,J.

Dt. 7-2-2007
gbs